

**Louisiana Department of Transportation and Development**

**US 90 (FUTURE I-49)  
LA 318 INTERCHANGE  
ST. MARY PARISH**

**DESIGN-BUILD PROJECT**

**State Project No. H.004932/Federal Project No. H004932**

**REQUEST FOR PROPOSALS  
RESPONSES TO PROPOSER QUESTIONS  
(Responses to Proposer Questions Received through March 9, 2015)**

<b>Part and Section Number</b>	<b>Proposer Comment</b>	<b>Department Response</b>
Instructions to Proposers, Appendix C – Proposal Forms, Form PC1 – Price Center 1 – Preliminaries and General Requirements; Contract Documents, Part 2 – Design-Build Sections 100s, DB Section 109	Describe in detail DOTD's payment terms to DB firm for completed right of way acquisition and relocation activities, including milestone (interim) and final payments.	Right-of-Way (ROW) Acquisition Activities are included in the Lump Sum Contract Price under Price Center 1. Progress Checkpoints are to be set by the Design-Builder in accordance with DB Section 109.
Contract Documents, Part 2 – DB Sections 100s, DB Section 104-9 and Part 3 – Design Requirements and Performance Specifications, Appendix A – Performance Specifications, Right-of-Way Acquisition Performance Specification	At project conclusion, DOTD requires an audit of the project files. What length of time is required for DOTD to conduct the project audit and can this be conducted by DOTD in phases or as files are completed?	As per DB Section 104-9, all Project records must be maintained for a period of five years after Final Acceptance of the Contract. In addition, the LA DOTD may audit Project records any time during the duration of the Contract and for five years after Final Acceptance.

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Contract Documents, Part 2 – DB Sections 100s, DB Section 107-2.2(C)	Please advise if you will accept a continuous renewal of Contractor Master General Liability Program in lieu of this requirement or is a Project Specific Policy required - as we are not clear on what is required.	A Contractor Master General Liability Program is acceptable under DB Section 107-2.2(C), provided that the Contractor Master General Liability Program's aggregate limits apply separately to this Project and that all other requirements of DB Section 107-2.2 are met.
Contract Documents, Part 2 – DB Sections 100s, DB Section 107-2.2(C)	Please clarify what is meant by aggregate loss limit be per project? Contractors typical carry Designated Project Aggregate Limits and it applies separately to each project.	A Designated Project Aggregate Limits endorsement is acceptable.
Contract Documents, Part 2 – DB Sections 100s, DB Section 107-2.2(C) and (D)	Confirm that the total limits required can be any combination of primary General Liability and Umbrella, as long as the total equal \$8,000,000 per occurrence and \$16,000,000 aggregate	Unless the Proposer can demonstrate that the limits required for Commercial General Liability and umbrella excess coverages set forth in DB Sections 107-2.2(C) and (D), respectively, are commercially unavailable (in accordance with DB Section 107-2.2.3), this requirement will not be waived.

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Contract Documents, Part 2 – DB Sections 100s, DB Section 107-2.2(D)	Please clarify the intent of “This limit of liability must apply “collectively” and not “separately” for the Design-Builder and Subcontractors on the Project;”	Unless the Proposer can demonstrate that the limitation of liability requirements for the umbrella excess coverage set forth in DB Section 107-2.2(D) is commercially unavailable (in accordance with DB Section 107-2.2.3), this requirement will not be waived.
Contract Documents, Part 2 – DB Sections 100s, DB Section 107-2.2(H)(1)	Item 1) says “The insurance company shall have no recourse against State of Louisiana for payment of any premium or assessments” Please clarify - is this meant for a bond? As the State is not a party (other than additional insured ) to the policy and would not be obligated to pay , the policy refers to the First Named Insured which would be the Contractor	No. DB Section 107-2.2(H)(1) applies to insurance premiums, as stated.

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Contract Documents, Part 3 – Design Requirements and Performance Specifications, Appendix A – Performance Specifications, Project Office and Field Office Performance Specification Section 2.0	Does the field office require a real estate professional on site during normal business hours, Monday through Friday and through what phase of the project is that personnel no longer needed (i.e. following right of way and relocation activities)?	<p>Under Section 2.0 of the Project Office and Field Office Performance Specification, the Design-Builder's Key Personnel (including, but not limited to, the Right-of-Way Acquisition Manager) are required to be housed at the Project office.</p> <p>The LA DOTD will have Department real estate personnel available as necessary in the field office. The field office is provided by the Design-Builder for use by the LA DOTD, in accordance with Section 3.0 of the Project Office and Field Office Performance Specification.</p>
Contract Documents, Part 3 – Design Requirements and Performance Specifications, Appendix A – Performance Specifications, Project Office and Field Office Performance Specification Section 2.0	What specific documentation/information should be made available to the public at the field office with regard to right of way services?	<p>With regard to the process and procedure of Right-of-Way acquisition, the Design-Builder should maintain LA DOTD real estate brochures, ROW plans and conceptual design, and Title VI pamphlets.</p> <p>With regard to particular parcels, the Design-Builder should forward any public records requests to the LA DOTD District's Real Estate Manager.</p>

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Contract Documents, Part 3 – Design Requirements and Performance Specifications, Appendix A – Performance Specifications, Right-of-Way Acquisition Performance Specification	Once a file is returned to DOTD for expropriation, how many days does the Department require prior to filing the petition for expropriation.	The LA DOTD anticipates a minimum of 30 calendar days to file the petition for expropriation.
Contract Documents, Part 3 – Design Requirements and Performance Specifications, Appendix A – Performance Specifications, Right-of-Way Acquisition Performance Specification	Does DOTD provide a duration of time to property owners, mortgage companies and lien holders to obtain a third party appraisal report to certify the value of the taking, improvements and damages?	The LA DOTD does not have a specific time line set forth in its “LA DOTD Office of Right of Way Operations Manual” for this activity.

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Contract Documents, Part 3 – Design Requirements and Performance Specifications, Appendix A – Performance Specifications, Right-of-Way Acquisition Performance Specification, Section 4.0(F)	Will DOTD approve DB/right of way firm ordering two appraisal reports for all properties to save time in the event expropriation for non-title issues is required?	In accordance with Section 4.0(F) of the Right-of-Way Performance Specification, only those properties appraised over \$30,000 will be required to have a second appraisal. If the Design-Builder opts to order appraisals in addition to those required under Section 4.0(F), it will be the Design-Builder's responsibility.
Contract Documents, Part 3 – Design Requirements and Performance Specifications, Appendix A – Performance Specifications, Right-of-Way Acquisition Performance Specification, Section 4.0(F)	Does DOTD provide a duration of time to owners for opening Successions and providing Judgments of Possession?	The LA DOTD does not have a specific time line set forth in its "LA DOTD Office of Right of Way Operations Manual" for this activity.

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Contract Documents, Part 3 – Design Requirements and Performance Specifications, Appendix A – Performance Specifications, Right-of-Way Acquisition Performance Specification, Section 4.0(F)	Does DOTD provide a duration of time to mortgage companies, lenders, IRS and financial institutions for providing releases and other documentation to clear title to the properties identified for acquisition?	The LA DOTD does not have a specific time line set forth in its “LA DOTD Office of Right of Way Operations Manual” for this activity.
Contract Documents, Part 3 – Design Requirements and Performance Specifications, Appendix A – Performance Specifications, Right-of-Way Acquisition Performance Specification, Section 4.0(H)b.	Can DB/right of way firm mail offers/checks to any undivided interest owners residing outside of St. Mary Parish?	<p>If a property owner resides within the State of Louisiana, the offer must be made in person. If a property owner resides outside the State of Louisiana, the offer may be mailed to the property owner.</p> <p>Checks may be mailed to property owners that reside either within or outside the State of Louisiana, however, the LA DOTD prefers that checks are hand delivered to property owners that reside within the state.</p>

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Contract Documents, Part 3 – Design Requirements and Performance Specifications, Appendix A – Performance Specifications, Right-of-Way Acquisition Performance Specification, Section 5.0(A)	Addendum No. 3, page 3 indicates 15 business days for appraisal review. Is DOTD providing appraisal reviews solely for establishing just compensation and therefore, it is the responsibility of the DB/right of way firm to obtain the independent appraisal reviews?	An independent appraisal review by the Design-Builder is not required under the Right-of-Way Acquisition Performance Specification. The LA DOTD will be responsible for the appraisal review, including, oversight of the appraisal process to establish just compensation and to ensure that the appraisal meets form and content requirements as required by federal and state law.
Contract Documents, Part 3 – Design Requirements and Performance Specifications, Appendix A – Performance Specifications, Right-of-Way Acquisition Performance Specification, Section 5.0(A)	Addendum No. 3, page 3 indicates 10 days for Voucher Review/Approval/Payment. Please confirm that the DB/right of way firm will receive the check no later than 10 days from submitting the voucher. How will the check be transmitted to the DB/right of way firm?	Voucher checks are anticipated to be mailed within ten calendar days after receipt, provided the voucher is approved after review.



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Contract Documents, Part 3 – Design Requirements and Performance Specifications, Appendix A – Performance Specifications, Right-of-Way Acquisition Performance Specification, Section 5.0(E)	The Department agrees to make available personnel qualified to answer questions by the DB/right of way firm and to give advice regarding right of way issues. From the date the DB/right of way firm submits an inquiry, what is the expected DOTD turnaround response time in days?	The LA DOTD anticipates that it will respond to Design-Builder inquiries within three business days.